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**DATE:** October 28, 2004  
**TO:** Commissioner for Patents  
**FAX NO:** 703-872-9306  
**COMPANY:** USPTO  
**FROM:** John C. Carey  
**PAGE(S) with cover:** 3  
**ORIGINAL TO FOLLOW?** ☐ YES ☒ NO

**REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND  
CHANGE OF CORRESPONDENCE ADDRESS AND STATEMENT UNDER 37 CFR 3.73(b)**

**U.S. SERIAL NO.:** 10/642,479  
**FILING DATE:** 08/15/2003  
**ATTORNEY DOCKET NO.:** AVAN/001104

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PTO/SB/82 (09-03)

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**REVOCATION OF POWER OF  
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ADDRESS**

Application Number	10/642,479
Filing Date	08/15/2003
First Named Inventor	DUAN
Art Unit	2633
Examiner Name	UNKNOWN
Attorney Docket Number	AVAN/001104

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners at Customer Number :

47389

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

47389

OR

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Individual Name

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name

Brian Kinard, General Counsel &amp; Vice President, Legal Affairs

Signature

Date

Telephone

(510) 897-4188

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Duan, et al. Attorney Docket No.: AVAN/001104  
Application No./Patent No.: 10/642,479 Filed/Issue Date: 08/15/2003  
Entitled: METHOD AND SYSTEM FOR DISTRIBUTED OPTICAL PERFORMANCE MONITOR IN OPTICAL NETWORKS  
Avanex Corporation, a Delaware Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Xiaodong Duan, Xiaofeng Yan Giovanni Barbarossa To: Avanex Corporation  
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Reel 014407, Frame 0298, or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]  
Signature  
Brian Kinard  
Printed or Typed Name  
General Counsel &  
Vice President, Legal Affairs  
Title

10/22/04  
Date  
(510) 897-4188  
Telephone Number

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